THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1351

INTERNATIONAL REFUGEE ASSISTANCE PROJECT, a project of the Urban Justice Center, Inc., on behalf of itself; HIAS, INC., on behalf of itself and its clients; MIDDLE EAST STUDIES ASSOCIATION OF NORTH AMERICA, INC., on behalf of itself and its members; MUHAMMED METEAB; PAUL HARRISON; IBRAHIM AHMED MOHOMED; JOHN DOES #1 & 3; JANE DOE #2

Plaintiffs – Appellees,

v.

DONALD J. TRUMP, in his official capacity as President of the United States; DEPARTMENT OF HOMELAND SECURITY; DEPARTMENT OF STATE; OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE; JOHN F. KELLY, in his official capacity as Secretary of Homeland Security; REX W. TILLERSON, in his official capacity as Secretary of State; DANIEL R. COATS, in his official capacity as Director of National Intelligence

Defendants – Appellants.

On Appeal from the United States District Court, District of Maryland,
The Honorable Theodore D. Chuang, United States District Judge
(8:17-cv-00361-TDC)

CONSENT MOTION FOR LEAVE TO FILE BRIEF OF AIRPORT ATTORNEYS COALITION AS *AMICI CURIAE* IN SUPPORT OF APPELLEES

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CONSENT MOTION FOR LEAVE TO FILE BRIEF OF AIRPORT ATTORNEYS COALITION AS *AMICI CURIAE* IN SUPPORT OF APPELLEES

With consent of all parties, the undersigned members of a coalition of "airport attorneys" respectfully move this Court for leave to file a brief *amici curiae* in support of Plaintiffs-Appellees, and in opposition to the Defendants-Appellants' request to lift the nationwide Preliminary Injunction issued against Executive Order No. 13,780 (2017) by the United States District Court for the District of Maryland. In support of this motion, proposed *amici* state as follows:

1. The *amici* submit this motion pursuant to Fed. R. App. P. 29(a)(2). Counsel of record for parties have consented to the filing of the brief of *amici*.

2. Proposed *amici* are attorneys representing a range of legal backgrounds, specialties, and United States jurisdictions who gathered at international airports across the country to assist disenfranchised travelers affected by the travel bans. As the proposed *amici* and their clients are affected by the travel bans, the *amici* have one critical interest in common: averting the crisis caused by the issuance of the first travel ban and compounded by the issuance of the second.

3. Proposed *amici* have on-the-ground, first-hand experience with the legal chaos created by the implementation of the bans and their continuing effects on clients and travelers here and abroad. Proposed *amici* are familiar with the

practical consequences of the ban to our clients and the practice of immigration law generally.

4. Proposed *amici* have a compelling shared interest in this case because a ruling in Defendants-Appellants' favor to lift the Preliminary Injunction would inflict irreparable harm to travelers' Constitutional rights, as well as to the ability of *amici* to effectively assist and counsel their clients. As attorneys, the *amici* must be able to effectively advise their clients regarding their status, legal rights, and available remedies. To do so, *amici* need 1) access to their clients when legal decisions are made that may have irrevocable consequences; and 2) confidence in settled immigration principles to counsel their clients on how best to protect their legal rights or status, and on how to move freely across borders so they can work and be with their families. The travel ban jeopardizes and disrupts these fundamental requirements for effective counsel.

5. As legal practitioners, proposed *amici* offer insight into a critical issue before this Court – namely, the ways in which the travel ban may infringe on the Constitutional rights of those attempting to cross the American threshold – citizens and non-citizens alike. Proposed *amici* are vitally interested in protecting the rights of those individuals.

6. The proposed *amici curiae* brief, attached to this motion as Exhibit A, explains how the second travel ban will harm *amici* and their clients, and how its re-implementation will infringe on Constitutional rights of certain travelers.

For the foregoing reasons, proposed *amici* respectfully request permission to file the proposed brief *amici curiae* in support of Plaintiffs-Appellees.

Dated: April 19, 2017

By: */s/ Michael B. Roberts*
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CERTIFICATE OF CONFERENCE

The undersigned counsel certifies that Reed Smith LLP has obtained consent to this motion from the parties in this case. Specifically, Ms. Swingle of the Department of Justice and Mr. Amdur of the ACLU both stated they would accept all timely filed amicus briefs when asked for their clients' position as to the filing of the proposed amicus brief.

Dated: April 19, 2017

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CERTIFICATE OF SERVICE

I certify that on this 19 April 2017, I served the foregoing Motion for Leave to File Brief as *Amici Curiae* in Support of Appellees via the Court's ECF system upon all counsel.

Dated: April 19, 2017

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(a)(G)(1)), the undersigned counsel certifies that this motion:

(i) complies with the type-volume limit of Fed. R. App. P. 27(a)(2)(B) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 486 words.

(ii) complies with the typeface requirements of Rule 32(a)(5) and the type style requirements of Rule 32(a)(6) because it has been prepared using Microsoft Office Word and is set in Times New Roman font in a size equivalent to 14 points or larger.

Dated: April 19, 2017

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